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A
LETTER

T O

Caleb D'Anvers, Esq;

Occasioned by the

DEPREDATIONS

Committed by the

SPANIARDS in the West-Indies.

WITH

Some OBSERVATIONS on the TRADE
carried on from *JAMAICA* to the
SPANISH COAST.



L O N D O N :

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TO

THE

COMMISSIONERS OF THE

DEPARTMENT OF THE

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SOME OBSERVATIONS ON THE
CARRIED ON THE
22 MARCH 1841



LONDON

Printed for the
Commissioners of the
Department of the



A
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T O

Caleb D'Anvers, Esq;

SIR,



A M very sorry you did not add to the Remarks, &c. you Publish'd last *Wednesday*, a List of the Ships and Vessels taken by the *Spaniards*, since I find it is inferred by Mr.

Manley, that you are not able to give any such List, by his questioning whether you can add to your Catalogues of Losses; whereof ' he says, ' that you have no Evidence but the ' common Rumours and daily Papers, which ' are at best, but indifferent Vouchers; and ' that he is sure no Man could be more candid,

‘ or more circumstantial, than your self; and
 ‘ that you had Reason to complain of some
 ‘ Gentlemen for magnifying our Losses, when
 ‘ you could find no Authority for their Cla-
 ‘ mours. And that the Author of the Obser-
 ‘ vations is most effectually justified by the
 ‘ Conduct of his Opponents, who have been
 ‘ highly desirous to trump up a List in Opposi-
 ‘ tion to his, but prove it impossible; for
 ‘ as they can find no Evidence or Authority to
 ‘ falsify, neither can they add to his Cata-
 ‘ logue; and therefore, they are highly blame-
 ‘ able, thus to magnify these Depredations,
 ‘ when they cannot instance one Capture more
 ‘ than this Gentleman has enumerated; not
 ‘ that he is sure there are no more, but they
 ‘ have no just Foundation to support their Cla-
 ‘ mours, and therefore ought not to be so
 ‘ Noisy”.

But though I am very sorry you did not give
 a List, as well on Account of these Insinua-
 tions of Mr. *Manley's*, as because, it is become
 the Business of some Persons to insinuate it,
 through all Parts almost of the Town, *That*
the Losses which the Merchants have received,
mostly arise by carrying on a clandestine Trade
with the Spaniards in America, contrary to
Treaty; yet I must own, that I was very well
 satisfy'd on reading the Remarks and Reasons you
 gave the Publick for not doing it; however, I
 hope you will very soon have an impartial
 Account, as you desire, of the Captures on a
 lawful Trade from the Merchants themselves.

And

And I must think it does not shew much Judgment in Mr. *Manley*, to make those Insinuations on Account of your not giving the Lift; since your Correspondent had in his Remarks, shewn from the Memorials and Letters of Mr. *Stanhope*, to the Court and Ministers of *Spain*, as well as from the Enquiry, *that the Depredations of the Spaniards, on the Subjects of Great Britain, in America, were sufficient to justify our equipping and sending a Fleet to the West-Indies.*

For, Mr. *D'Anvers*, if the Subjects of *Great Britain* had not received great Losses from the *Spaniards*, much greater than it seems by his Insinuations Mr. *Manley* is willing to believe; can it be imagin'd Mr. *Stanhope* would have been directed to have made the strong Representations he did in the Year 1726, to the Court of *Madrid* on this Head; that we should have had Mr. *Stanhope* telling the Marquis *de la Paz*, ' That the In-
' fractions openly complained of, without the
' least Assurance of Satisfaction or Reparation,
' were sufficient to induce his Majesty to
' equip the several Fleets he had put to Sea;
' and that the Damages so many and so
' great, which were received by the Sub-
' jects of *Great Britain*, from the Depreda-
' tions and open Hostilities of the *Spaniards*,
' would have sufficiently justified the King
' his Master taking the most vigorous Mea-
' sures for Redress"; or the Author of the Enquiry, informing the World, ' That the
Pro-

‘ Protection of his Majesty’s Trading Sub-
 ‘ jects from the Depredations of the *Spani-*
 ‘ *ards*, was one End of setting out the Squa-
 ‘ drons under Admiral *Hofier* and Sir *John*
 ‘ *Fennings* ; that by the Depredations and
 ‘ Hostilities committed by the *Spaniards*, the
 ‘ whole Commerce of *Jamaica* has been
 ‘ well nigh destroyed, and the Trade of
 ‘ that Island reduced to a miserable Condition;
 ‘ and that as to the Squadrons sent to the
 ‘ *West-Indies*, he believes there is no one,
 ‘ who has an Estate in those Parts, or is
 ‘ concerned in any Trade thither, who did
 ‘ not think it highly necessary to have a
 ‘ strong Squadron in those Seas for securing
 ‘ our Commerce, which must otherwise have
 ‘ been inevitably ruin’d by the Depredations
 ‘ and Violences of the *Spaniards*, for several
 ‘ Years past, without Redress”.

If, as your Correspondent asks, *Was this*
true above two Years ago, and was it meri-
torious to say so then; how comes it to be
Criminal to say much less now, after our
Misfortunes have been aggravated by fresh
Injuries of the same Kind? and I will add,
 after our equipping of Fleets, and sending
 such Numbers of our Ships into the *West-*
Indies, on Purpose, as Mr. *Stanhope* and the
 Enquiry declare, *to protect the Trade of the*
Subjects of Great Britain, from the Depreda-
tions of the Spaniards in that Part of the
World?

Whether

Whether, Mr. *D'Anvers*, the Design of sending so great a Number of Ships with Admiral *Hofier*, was on Purpose to protect and secure the *British* Trade in the *West-Indies*, is not my present Business to enquire; but sure I am, if that was their Commission, they executed their Orders very ill; for, unhappy for the Concerned, the *Spaniards* have taken since Admiral *Hofier's* first Arrival in those Parts, upwards of sixty Sail of Ships and Vessels, of which the Merchants of this City already have an Account; therefore, I am very much surpriz'd at several Parts of Mr. *Manley's* Performance on *Saturday* last, but more particularly at his expressing himself in these Words":

' Mr. *Stanhope* complain'd against all Hostilities and Infractions of Treaties since the Treaty of *Utrecht*, which was a proper Charge against the Court of *Spain*, but not against the present Ministry; for the latter could not prevent Depredations, when they were not in Authority, and can only account for Particulars happening in their own Time of Power. Thus Mr. *Stanhope*, when he alledged such Infractions of Treaties, as he had a more extensive Enquiry, so he had more ample Matter of Complaint, than can be pretended to by those who charge the Ministry with Breach of Duty: And if any Gentleman makes the same Accusation at Home, which he made Abroad, they surely use the Government very

‘ very unjustly, and deserve to be censured
 ‘ very severely.

I agree with Mr. Manley, *that Mr. Stanhope complain'd against all Hostilities and Infractions of Treaties since the Treaty of Utrecht*; but do not remember either any of your Correspondents, or yourself, have said, *This was not a proper Charge against the Court of Spain*, though, at the same time, you left the World to judge, *whether there is any Charge against the present, or any former Ministry*, that these Injuries and Insults from the Spaniards have been suffer'd, and permitted to continue, almost ever since the Treaty of Utrecht? However, I shall be glad to be inform'd by Mr. Manley, *Why this is a proper Charge against the Court of Spain, but not against the present Ministry*? I agree with him, the latter could not prevent Depredations, when they were not in Authority, and that they are only to account for Particulars happening in their own Time of Power; though this by the way is giving them up: But however, it is the Business of a new Ministry, to enquire into the then present State of Things, as soon as they come into the Management of Affairs, and to endeavour the obtaining immediate Redress for all national Grievances, particularly any Depredations committed on the Trade of the Kingdom, on which its Welfare and Prosperity so greatly depend; and therefore, though they could not prevent Depredations before they were in Authority, yet it was their Duty to apply themselves

selves forthwith to prevent them for the future,
 as soon as they came into Power, as well as to
 obtain Restitution for those who had had any
 Ships or Vessels unjustly taken and confiscated,
 before they had the Administration of Affairs;
 and if they did endeavour to do either, it is
 very extraordinary, that in Five Years, though
 no Satisfaction could be obtain'd for past Losses,
 that we were not able so much as to procure
 any Orders from the Court of *Madrid*, against
 the Subjects of the King of *Spain* continuing
 their Depredations. For as the *Spaniards* made
 Depredations on the Trade of *Great Britain*,
 from the Time almost of the *Utrecht* Treaty,
 to the Time of our beating their Fleet in the
Mediterranean, so they renew'd them again im-
 mediately after the Cessation in the Year 1720,
 and have continued making Depredations ever
 since; and it is a Matter beyond Contradiction,
that more Ships with Negroes from Africa bound
to the Plantations, and from the Plantations with
Sugars bound to this Kingdom, have been taken
since the Cessation in the Year 1720, than from
the Treaty of Utrecht to that Time.

I do not mention these Things to lay any
 Charge to the present Ministry; but only to
 shew, that Mr. *Manley's* Manner of justifying
 them, is so far from doing it, that it will ne-
 cessarily make them culpable; and, I hope,
 whenever they are call'd upon, if ever such a
 Day should come, they are able to make ano-
 ther Sort of Justification for themselves, *than*
that they can only be accountable for Particulars
happening

happening in their own Time of Power ; or that at the Time of Mr. Stanhope's Memorial Eleven Ships had been taken, which is near half the List. I persuade myself that they will be able to shew, not only that they have endeavour'd to obtain from the Court of *Madrid* Satisfaction for the Merchants for their Losses, and Security to the carrying on their Trade for the future, even before the 24th of *September* 1726, but that they employ'd a Number of Ships, properly instructed and station'd, to protect the Trade from, and prevent the Depredations of the *Spaniards* in *America*, even before and since Admiral *Hoffer* was order'd to the *West-Indies*.

I am very sure that Mr. *Stanhope* must have had most ample Matter for Complaint, when he alledg'd, as Mr. *Manley* says he did, such Infractions of Treaties ; since there is no doubt, but that he had sent him the many general, as well as particular Petitions, Representations, and Memorials of the Planters and Merchants, both residing in this Kingdom and the Plantations, to the Government, from the Time of the Treaty of *Utrecht* to the Month of *May* 1726, complaining of, and setting forth, the great Losses they had receiv'd, and the Danger the Trade to and from *America* was in from the Depredations of the *Spaniards* : But I am perfectly at a Loss for his saying, *That he had more ample Matter of Complaint, than can be pretended by those who charge the Ministry with Breach of Duty*, since I do not know any one has publicly done it ; and until he does shew
that

that this has been publickly advanc'd, he must pass for the Person, who lays the Depredations made by the *Spaniards* of late Years to the Charge of the present Ministry, and who charges them with Breach of Duty, and that makes the same Accusations at home, that Mr. Stanhope made abroad; and therefore using the Government very unjustly, deserves to be censur'd very severely.

Mr. Manley informs his Readers, *That you insinuate that the Lords of Trade refus'd to hear the Merchants, or to receive their Complaints.* I have look'd into the Remarks, since my reading an extraordinary Paragraph which these Words begin, and cannot find any thing like what this Gentleman advances; but I find your Correspondent telling you, ' That a Paragraph ' being insert'd in one of the News Papers, ' that the *Lords Commissioners for Trade and* ' *Plantations* would sit at such a Time to receive ' an Account of the Spanish Captures, several ' Merchants attended them in pursuance of this ' Notice; but when they came to the Board, ' they were told, that the Paragraph was publish'd without their Order or Knowledge, that ' they had no Directions to take Cognizances of ' these Losses; but since they were come, they ' might, if they thought fit, talk over the ' Affair, and they, the Commissioners, would ' make the best use of it in their Power at a ' proper Opportunity: Upon this the Merchants ' who attended, did give them some Account ' of their own particular Losses; but when

B 2

' they

' they return'd into the City, they told their
 ' Friends and Fellow-Sufferers how the Case
 ' stood, which no doubt was the Reason that
 ' others did not think it worth their while to
 ' give in their Accounts: And then adding,
 ' Now if this be the Fact, (as I am assured it
 ' is) let the World judge, whether it is not
 ' very extraordinary, to reproach the Merchants
 ' with Negligence in this Affair, and to assert
 ' that the Commissioners did sit for this Pur-
 ' pose; and yet I am told, this hath been assert-
 ' ed both within and without Doors.

- I leave the World to judge, whether this
 Passage will warrant Mr. Manley's saying, *That*
you insinuated the Lords of Trade refus'd to hear
the Merchants, or to receive their Complaints;
 or, to use his own Words immediately preced-
 ing, *whether such Usage as this must not deserve*
the Abhorrence of all Mankind. It was however
 by this Incident that Mr. Manley is answer'd his
 Question, *How then came the Ministers with*
such circumstantial Accounts? Supposing the
 Accounts printed in the Observations, &c. to be
 the Ministers Accounts; but notwithstanding it
 may shew this, it does likewise shew, that the
 Account they had, however Circumstantial with
 respect to the Number of Ships which is therein
 specified, was not the whole Account that they
 would have had laid before them, had the Mer-
 chants been inform'd, that the Ministers had
 given any Directions to the Lords of Trade for
 the taking and collecting an Account of their
 Losses,

Losses, in order for the obtaining them Satisfaction from the King of *Spain*.

Mr. *Manley* and many others seeming in their Writings and Talking, to make a Difference between Letters of Marque and Letters of Reprizal, it may be necessary, for the better understanding the Matter in question, to observe, that Letters of Marque are Commissions granted to the Commanders or Masters of every Ship or Vessel who may request or require them, under certain Limitations, and with Instructions, and only granted in Time of War or open Hostilities; whereas Letters of Reprizals are Commissions granted to particular Persons, who have had their Ships and Effects taken contrary to Treaty, or the Law of Nations, and only granted in Time of Peace, and when Satisfaction is not to be otherwise obtain'd from that Power, whose Subjects committed the Injury, and ceaseth from the Time the Party shall take to the Amount of the Loss sustain'd. The one is a general unrestrain'd Commission, to take and destroy all Ships and Vessels, which the Persons commission'd may meet with, during the Term for which the Commission is given: And the other, only a particular Commission, restrain'd to the taking no greater Value, than will make the Persons commission'd Satisfaction for their Losses.

Having given this Definition of Letters of Marque and Letters of Reprizal, I shall proceed to consider a little further Mr. *Manley's* Paper of *Saturday* the 8th Instant, who must either

either own he did not know there was any Difference between the one or the other, or that he wilfully mistook the Writer of the *Remarks*, &c. as appears by expressing himself in these Words :

‘ He (the Author of the *Remarks*) comes
 ‘ next to Letters of Reprizal ; and because the
 ‘ Author of the *Observations* admits the Merchants, in the Situation we were then in with
 ‘ regard to *Spain*, had a Right to such Power,
 ‘ he falls upon the Particle *then* most vigorously,
 ‘ to know what time it must refer to. Behold,
 ‘ this pedantick Cavil about a single Particle, is
 ‘ all the Answer our Letter-writer makes to the
 ‘ Argument press’d so much upon him : That
 ‘ when the Preliminary Articles were forming,
 ‘ and near concluded, when Affairs were at a Crisis, and it was reasonably expected the *Spanish*
 ‘ Court would grant us speedy Reparation ; I
 ‘ say, in such Conjecture, (which happen’d so
 ‘ on after the Time meant by the Particle *then*) it
 ‘ could not be reasonable or proper to seek Reprizals by Force. As this remains unanswer’d,
 ‘ we may easily conclude why it was so peaceably pass’d over : For my Part, I heartily wish
 ‘ those Letters had been granted to all who desir’d
 ‘ them ; though considering within what narrow
 ‘ Limits the Trade of *Spain* is confin’d, and that
 ‘ they have scarce any Ships at Sea, but the
 ‘ Flota, Galleons, and Ships of War, I fear our
 ‘ Privateers could have done us little Service or
 ‘ Reparation. I observe in all our Wars at Sea
 ‘ we have brought home great Guns, but no
 ‘ Cargoes,

‘ Cargoes, and I believe this Case would have
 ‘ been the same.

As it is plain that Mr. *Manley*, by his beginning and saying *that he comes next to Letters of Reprizals*, and then adding, *That when the Preliminary Articles were forming, and near concluded, when Affairs were at a Crisis, and it was reasonably expected the Spanish Court would grant us Speedy Reparation, it could not be reasonable or proper to seek Reprizals by Force, and that considering within what narrow Limits the Trade of Spain is confined our Privateers could have done us little Service*, either did not know there was any Difference between Letters of Marque and Letters of Reprizals, or that he wilfully mistook the Writer of the Remarks; so it is necessary to observe, that however the Preliminaries were forming and near concluded, yet this was no Reason for our not granting Letters of Marque, since we were not at such time without Notice that the *Spaniards* had granted them, and had Privateers at Sea, as well in *America* as *Europe*; whilst this was the Case, it was even necessary for us, to have granted them not only to Persons, whose only Business it had been to have cruized on the *Spaniards*, but to all those Commanders of Merchant Ships who might require them. For as the latter, however they might endeavour to defend themselves when attacked, though they might have no Letters of Marque, yet for want of them, the Seamen were not equally encouraged to do it by endeavouring to take the *Spaniards*, since
 without

without Letters of Marque the Vessels taken would not have been their Property : So the others by being allow'd to put to Sea, would not only have annoy'd and taken the *Spaniards*, but have at the same time protected and secured the Trade of this Kingdom, and could only have their Commissions recall'd on a Peace being made, or the Preliminaries being signed, as those Commissions granted by the *Spaniards* must be; though by the way I have not observ'd, by any Agreement between us and *Spain*, any time was fixed (as is usual in Case of a Rupture between two Maritime Powers) when Hostilities should cease, either in *Europe* or *America*, which, Mr. *D'Anvers*, I am at a Loss how to account for, when we had stopp'd our granting any Letters of Marque, and when it was so notorious, that the *Spaniards* had been in a manner in a State of War with the Subjects of this Kingdom, by taking their Ships and Vessels almost constantly from the time of the Treaty of *Utrecht*. As our Manner of acting is not to be reconciled to that Knowledge and Prudence, which might be expected from Persons who have many of them been so long in Business, and who profess a more than ordinary Concern for the Trade and Welfare of their Country; So I am at a Loss what Inconveniencies could have arisen to us from the granting Letters of Marque; for surely it was equally as reasonable we should have had our Ships cruizing as long on the *Spaniards*, as they could possibly have any Vessels cruizing on the Subjects of *Great Britain*.

Britain. But I expect Mr. *Manley* will shew us the contrary, since he tells us the *Spaniards* have scarce any Ships at Sea, but the *Flota*, *Galleons*, and Ships of War; however at the same time I desire him to inform his Readers, whether he does not believe that the cruizing of our Ships on the *Spaniards* would have been a Means of protecting and securing our own Trade to and from all Parts of *America*: For I can't think, but as they would have cruized before their Ports, or near their Coasts, they would not only have hindred many *Spanish* Vessels from daring to put to Sea, but have had an Opportunity of taking such, as were coming into Harbour, and of retaking any *British* Ships they might have had with them; however it must not pass unobserv'd, that the *Spaniards* have not so very few Vessels passing to and from the *West-Indies*, as Mr. *Manley* seems to imagine, though they may not have great Numbers, besides the *Galleons* and *Flota* going from Old *Spain* to *America*, and from *America* to Old *Spain*; but had they much fewer than they have, I conceive that will not be thought a good Reason, why we refuse granting Letters of Marque at a time when we are in open Hostilities with the *Spaniards*, and we find they were daily taking our Ships and Vessels, especially since the doing it had been one great Means of securing and protecting our own Commerce: But this I fear will not be understood by Mr. *Manley*.

I am extreamly pleased to hear from Mr. *Manley* that, as the Ministers have had so much Patience in their Treaties, merely to gain our

Merchants more effectual and speedy Reparation, so we find they will never come to any Pacification that does not stipulate ample Provision for the Trading Interest. It is great Pity that this had not been said, and Mankind convinced of it many Months ago; if it had, I am persuaded it would have not only prevented many publick Transactions, which have been, and which probably will be under Consideration, but given the People in general a much better Opinion of the M——, than I fear they at this time entertain of them with respect to their Care, of the Trading Interest of this Kingdom.

But says Mr. Manley, *if we have been tame and passive, more than we ought to have been, what remains but that we now exert with Vigour? Is it too late to do our Merchants that Justice for which we have been long passionately zealous?* I would ask Mr. Manley whether *we*, is to be appropriated to himself, the Ministers, or the People in general? If to himself, I have nothing to say; if to the Ministers, their Actions and Negotiations will best shew how passionately zealous they have been to obtain Justice for the Merchants, or whether they have even allowed them to seek it themselves: And if to the People in general, they have shewn it not only by their respective Declarations, but by their Representations and Addresses to the Throne, that they have been ready to assist the Crown, in procuring, among other Things, just and reasonable Satisfaction to the Merchants for their Losses from the Spaniards. I shall leave you, Mr. D'Anvers to shew Mr. Manley, whether we
have

have not been more tame and passive than we ought to have been, or whether any thing remains than that we now exert with Vigour, if it be not too late, to do our Merchants Justice; but not without observing, that as we shew'd a Spirit worthy a brave People, when we put so great Fleets to Sea three Years ago, so by not permitting them to commit Hostilities, and suffering not only the Galleons and Flota, but great Numbers of other Ships to come unmolested into the Ports of Old Spain since that time, has, I fear, made it impracticable for us to exert, for the present, any Force with such Vigour, as really to distress the Spaniards answerable to the Expence the Nation will be at in doing it, as well as put it out of our Power to do Justice to the Merchants by making Reprizals for them on the Trade of the Spaniards, since it will not be in the Course of their Traffick for some time, or Years, that Great Britain can have an Opportunity of distressing them, and of doing ourselves Justice, equal to what we had when Admiral Hosier was sent into the West-Indies: Were it not very certain, that by our manner of acting towards the Spaniards, by that Expedition of his, and some others, we have shewn them their former Weakness, and the Dangers that they were formerly in, from so great a Maritime Power as Great Britain?

Mr. Manley may think the Ministers were very candid to communicate the Papers in the Observations, (which by the way is owning that Pamphlet came from the Ministers) but I will assure this Gentleman there are very few Per-

sons who have judged them very candid on this Account, not only because the Papers which are published, are not printed whole and entire, nor some Papers published which were necessary to satisfy the World, *whether from the Year 1721, to this time, full, strong, and proper Orders and Directions have been given to the Commanders of his Majesty's Ships and Squadrons, to protect and secure the Trade of the British Subjects from preventing the Depredations of the Spaniards, by taking and destroying their Privateers and Guards de Costas*; but because the Author of the Observations has only given a partial List, and not such a List as might have been procured from, and had certainly been laid before the Lords of Trade by the Merchants, had not some of them had Intimation given them, that the Paragraph in a News-Paper was not inserted either by the Privy or Directions of the whole, or any of the Board: And I will further assure Mr. Manley, that I never yet heard any one Man living *angry at these Lights, and complain that they cannot have a proper Resort to Papers actually delivered into Parliament for publick Perusal and Consideration*, but I have heard very many People complain that some of the Papers, with the List, were so partially given by the Author of the Observations, and that others perhaps have been denied to be produced, which would have shewn beyond Contradiction, what Care has been taken of the Trading Interest of *Great Britain* in regard to the continual Depredations of the *Spaniards*, ever since the Treaty of *Utrecht*, nay, from the time of sending Ad-
miral

miral *Hofier* with so great a Squadron into the *West-Indies*.

Mr. *Manley* is particularly angry with your Correspondent, for his Remarks on the Observations, with respect to the Instructions given Mr. *Hofier* the 28th of *March* 1726. And comparing these Orders with the Instructions he had sent him after the Siege of *Gibraltar*, and expresses himself very warmly on the Occasion, by saying, *That all Mankind must rise up with Indignation, when they consider how this Man insults and imposes on common Sense*; but that the World may judge, whether Mr. *Manley*, or your Correspondent, deserve that all Mankind should rise up with Indignation, I shall transcribe the Passage from the Remarks which Mr. *Manley* is so angry with, and his Observations thereupon.

* ‘ I have carefully looked over these Extracts, and find that Admiral *Hofier*, and those who succeeded him in that Service, were to look on the stopping the Galleons, and their Treasure, as their chief Care; and therefore they were not to risque the Success of it, on any Account: To that End they were to remain at *Carthagena* or *Portobello*, or the *Havanna*, as the Case should happen, to block up the Galleons in such of these Ports, where they should chance to find them. I think then, ’tis evident, they were not to remove from the Station proper for blocking up the Galleons on any Account; therefore, whether our Commerce could be protected,

* Remarks, Page 16.

‘ by our Squadron’s remaining in one Station,
 ‘ which the *Spanish* Privateers might easily
 ‘ avoid; or whether it was necessary to cruize,
 ‘ in order to intercept them, is left to the Judg-
 ‘ ment of those who are acquainted with that
 ‘ Service. The preventing the Returns of the
 ‘ Galleons and Flotilla with their Treasure,
 ‘ was to be the chief Care of the Commanders
 ‘ of that Squadron; and yet the Admirals
 ‘ had it not in Commission to prevent the re-
 ‘ landing of the Treasure, or to seize it in Port.
 ‘ This, I think, is admitted by this Author.
 ‘ But I will venture to go one Step farther:
 ‘ If the Galleons had put to Sea with their
 ‘ Treasure, or if our Admirals had met them
 ‘ at Sea, they had no Commission, (I mean,
 ‘ it was not in their Instructions of the 28th
 ‘ of *March* 1726.) to seize them. They were
 ‘ indeed, in such Case, to use their best En-
 ‘ deavours, by Persuasion, or even by Force,
 ‘ to get them and their Cargoes into their Pos-
 ‘ session. I have heard that it hath been ma-
 ‘ liciously asked, whether a *British* Squadron
 ‘ was ever before fitted out, at a vast Expence,
 ‘ for a long and hazardous Voyage, to play
 ‘ the Pedants, and endeavour to persuade: To
 ‘ persuade an Enemy to part with an immense
 ‘ Treasure; which, according to this Writer,
 ‘ his late Majesty had Reason to believe, they
 ‘ intended to employ for disturbing the Tran-
 ‘ quillity of *Europe*: No, the Admirals were
 ‘ even to use Force. But would a wise Man,
 ‘ who considers the Risque and Consequence
 ‘ to himself, of striking the first Blow in a
 ‘ War,

‘ War, that may involve his Country and all
 ‘ *Europe* in a Flame: Would he (I say) use
 ‘ the Force that was necessary for seizing the
 ‘ Galleons, upon such dark and ambiguous
 ‘ Orders as these? Persuasion is to be first tried,
 ‘ and what Methods or Degrees of Persuasion,
 ‘ on one Side, and what Obstinacy on the
 ‘ other, might in such a Case be thought fit
 ‘ to justify Force, is a Question of too nice a
 ‘ Nature for a prudent Commander to risque
 ‘ his Head upon. But I think it is plain from
 ‘ a subsequent Author, that this little hector-
 ‘ ing Word Force did not authorize the Ad-
 ‘ mirals to seize the Galleons at Sea. For on
 ‘ the 19th of *May* 1727, (above a Year after
 ‘ the Date of the first Orders) *Hosier* was in-
 ‘ formed that the King of *Spain* being at War
 ‘ with his Majesty, it was the King’s Pleasure,
 ‘ instead of stopping the Galleons only, as he
 ‘ had been formerly directed, he should now
 ‘ seize them. If the first Orders impowered
 ‘ him to seize them, what Need of these new
 ‘ Orders for the same Purpose? But this is not
 ‘ all: These Instructions expressly say, that his
 ‘ first Orders impowered him only to stop
 ‘ them: By these he is directed to do some-
 ‘ thing else, something that his first Orders
 ‘ did not extend to; something instead of the
 ‘ Service required by the first, which is to
 ‘ seize them. So that, taking these Orders
 ‘ together, it is evident, that our Admiral,
 ‘ whose chief Concern was to prevent the
 ‘ Return of the Galleons and their Treasure,
 ‘ was above a Year in that Service, without
 ‘ Com-

‘ Commission to seize the Treasure; and yet
 ‘ he was to stop the Galleons, and get them
 ‘ and their Cargoes into his Possession by Force,
 ‘ without seizing of them. If these are In-
 ‘ consistencies which cannot be imputed to the
 ‘ Ministers, I am not accountable for them.
 ‘ They are such as this Advocate of theirs,
 ‘ this Retailer of authentick Intelligence has
 ‘ furnished me with.

* ‘ How passionately fond are this Family
 ‘ of their Blunders! Mr. *Raleigh*, in the *Crafts-*
 ‘ *man* Extraordinary, made an egregious Mi-
 ‘ stake of Vice-Admiral *Hosier*’s Instructions;
 ‘ which you Sir, sufficiently exploded, yet
 ‘ here this Gentleman hath again committed
 ‘ it. For, saith this Writer, in Page 18, these
 ‘ are his Expressions: If the Galleons had
 ‘ put to Sea with their Treasure, or if our
 ‘ Admiral had met them at Sea, they had no
 ‘ Commission, (*i. e.* it was not in their Instru-
 ‘ ctions of the 28th of *March* 1726.) to seize
 ‘ them. Now consult the Instructions of that
 ‘ Day, you will have a rare Specimen of this
 ‘ Man’s Candour. The Words are these,
 ‘ (*Observ.* Page 9.) The Admiral had Orders
 ‘ to signify to the *Spanish* Governors in *Ame-*
 ‘ *rica*, That provided they would not suffer
 ‘ the Galleons, or any Part thereof, or any
 ‘ Ship having on Board their Cargo, or any
 ‘ Part of the same to go out of their Ports,
 ‘ then the Admiral was to give no Molesta-
 ‘ tion. But that if they would not comply,
 ‘ and if, contrary to this Notice, should think

*British Journal.

‘ At

‘ fit to suffer their Galleons, or any Part
 ‘ thereof, to put to Sea; or the said Cargo,
 ‘ or Part thereof, to be sent away, he was to
 ‘ use all possible Means to secure the Effects
 ‘ on board the said Galleons or Ships; to the
 ‘ End, Justice might be done to all concerned
 ‘ therein’.

As some Gentlemen have made, and continue to make it their Business to have it believed, *That the whole, or the greatest Part of the Ships and Vessels, which have been confiscated by the Spaniards, have been found Trading on the Coast of New Spain, contrary to Treaties*; I beg Leave to recommend to you, that, when you print your List, you will favour the Publick with an Account of all the Ships and Vessels taken, as well for being found Trading on the *Spanish* Coast, as those, where there cannot possibly be any such Pretence, whereby it may be seen what Number were found so Trading, and what not; and when you shall give such a List, I dare undertake to assure you, that it will appear not *one in ten* of the Ships and Vessels taken and confiscated by the *Spaniards*, have been found Trading with the *Spaniards*, but only passing on their respective Voyages, either from *Great Britain*, the Coast of *Africa*, the *British Colonies*, *Curraffau*, &c. to *Jamaica*, and other the Sugar Islands; or from *Barbadoes*, and other the Southern Plantations, to *Great Britain*, the Northern Colonies, *Curraffau*, &c. However, I hope you will be so good as to inform the Publick, where the several Ships and Vessels were bound, as well as the Ships and Masters Names, and also to what Port

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they

they were belonging, and where carry'd by the *Spaniards*.

I am sensible some Persons are prepar'd to give very hard Names to the Trade carry'd on from *Jamaica* with the *Spaniards*; but I hope they will very well consider this Matter, before they take any Liberty about it, since all Persons, who have really wish'd the Prosperity of the Trade and Commerce of this Kingdom, and the Encrease of its Riches and Power, have ever been of Opinion, that it was a Trade highly to be encourag'd and cherish'd by the Ministerial and Legislative Authority; and they must be Persons very little acquainted with past Transactions, who do not know, that this Trade has had the constant Aid and Assistance for its Encouragement and Support, both of many *British* Ministers and several Parliaments. But, Sir, I am apt to conclude, you have been the Occasion of some Mens talking as they do about this Trade, by the Queries and Letters you have publish'd, concerning the clandestine Commerce carry'd on in the Ships, and under the Umbrage of the *South-Sea* Company; but if any Persons are brought to think the Trade with the *Spaniards* from *Jamaica*, a clandestine one, because of what you have laid before the Publick, concerning the clandestine Commerce carry'd on in the Company's Ships and Sloops, they must be Persons that have given very little Attention to the Trade, either of the one or the other; since the Merchants trading from *Jamaica*, send out their Goods and Merchandize at their own Expence of Ships and Seamens Wages, and trade not in the Ports and Har-

bours of the King of Spain, but at Sea, the Spaniards bringing their Money on board; whereas the Trade you complain of, is a Trade carry'd on in the Ports and Harbours of the Spaniards, under the Umbrage, and at the Expence of the South-Sea Company, in prejudice to the Proprietors of the Stock. But that the Trade with the Spaniards from Jamaica, is not a Trade carry'd on in Breach of any Treaty, however it may be carry'd on at all times contrary to the good Liking of the Court of Madrid, and probably at some times to that of the Governors and other Officers of the King of Spain, residing in the Indies, will appear by the American Treaty of 1670, wherein it is only stipulated, *That the Subjects of the King of Great Britain are not to navigate, or not to traffick, in the Havens and Places that are in Possession of the Catholick King in the Indies.* For that as from the Time of making this Treaty of 1670, the Inhabitants of Jamaica have almost constantly had Vessels trading on some one Part or other of the Coast of New Spain: So this Right of Trade seems to be admitted, by the Spaniards themselves, to remain to the Subjects of Great Britain, since, in the Treaty of Utrecht, it is stipulated, *That the Treaty of 1670 is ratify'd and confirm'd, without any Prejudice to any Liberty or Power, which the Subjects of Great Britain enjoy'd before, either thro' Right, Sufferance, or Indulgence.*

Though I conceive it is very evident, that the Trade from Jamaica, is not a Trade carry'd on contrary to the Words of the Treaty of 1670; but seemingly stipulated, by the

Words of the Treaty of *Utrecht*, to be continu'd to the Subjects of *Great Britain*: yet I am far from thinking the Trade carry'd on by the Factors, Agents, or any other Persons, in the Ships and Vessels, and under the Umbrage, of the *South-Sea* Company, not to be a Trade carry'd on contrary to the Treaty of 1670, and the *Affiento* Treaty; since, besides its being provided in the Treaty of 1670, *That the Subjects of the King of Great Britain are not to navigate, or, not to traffick, in the Havens and Places that are in Possession of the Catholick King in the Indies*, it is expressly stipulated in the *Affiento* Treaty, *That the Affientists shall not trade in any other Manner, than by the said Treaty is allow'd and permitted, or carry on any clandestine Trade, under any Pretence whatsoever.*

As it is then certain, that great Numbers of the *British* Ships and Vessels have been unjustly taken and confiscated by the *Spaniards*, since the Treaty of *Utrecht*, it only remains, Mr. D^r *Anvers*, to enquire, what Satisfaction has been made, or what Restitution has been given by the *Spaniards*, to the Sufferers, for their Losses, or what Care has been taken, since the first general Representation was made to the Crown in December 1716, not only to protect the Trade to and from, in and about, our Plantations in *America*, from the Insults and Depredations of the Subjects of the King of *Spain*; but also to obtain Satisfaction and Restitution for the Subjects of *Great Britain* from the Court of *Madrid*, and when, and by whom, and in what Manner,

Satisfaction

Satisfaction and Restitution have been not only demanded of the King of *Spain*, but that his Subjects might desist from such-like Depredations for the future.

I shall be very glad, if, by your Means, this Letter may be of any Service to the Publick, not only by satisfying Mankind, that the many Ships and Vessels confiscated by the *Spaniards*, since the Treaty of *Utrecht*, were not found trading on the Coast of *New Spain*, and that the Trade carry'd on from *Jamaica*, with the *Spaniards*, is a Trade, which has ever been countenanc'd and encourag'd by those who have been in Power, and that it is not a Trade carry'd on contrary, either to Treaty, or the Prejudice of other the Subjects of *Great Britain*; but the only Commerce, whereby it is possible for the *British* Colonies in *America*, to be supply'd with, or have among them, either any Gold or Silver; whereas, a clandestine Trade, carry'd on in the Ships and Vessels, and under the Umbrage of the *South-Sea* Company, is a Trade carry'd on in Breach of Treaty, and in prejudice to the Subjects of *Great Britain* in general, as well as to the Proprietors of the *South-Sea* Stock, in particular; But also of shewing to the World, that Mr. *Manley* made no true Judgment, in insinuating, That you could not instance one Capture more than the Authors of the Observations had enumerated: That the Merchants, or others, had no just Foundation to support their Clamours, and therefore ought not to be so noisy: That his Manner of justifying the present Ministry,

stry, is so far from doing it, that it would, necessarily, make them culpable: That the Merchants would have laid another Kind of List, than the List of twenty-six Ships, printed in the Observations, before the Lords of Trade, had they had any publick Advertisement from that Board, that they were ready to receive, take, and collect, from the Traders, an Account of their Losses, in order for the obtaining them Satisfaction from the King of *Spain*; and that no Consideration should have restrain'd us from granting Letters of Marque, until a Cessation was actually publish'd; since, as we knew the *Spaniards* were preying on our Trade, it was necessary to give our People Liberty to cruize upon them, equally as long as they should, which could not be the Case, when the King of *Spain's* Subjects had Commissions, unless the Subjects of the King of *Great Britain* had such Leave, Authority, or Power.

I am in some Admiration to hear Gentlemen, for whom I have a very great Esteem, not only endeavouring to have it believ'd, *That the Merchants Losses have chiefly* proceeded from their carrying on a contraband Trade; but that they are not so considerable as they are magnify'd, and seem not to be concern'd for them. I will only say, that, as I have not heard one Ship or Vessel, which has been taken, and any Complaint made thereof, had been carrying on any contraband Trade, or had any contraband Goods on board, unless Negroes, Woollen and Linnen, Beef, Bread and Flower, Sugar, Indigo, Ginger, Cotton,

Cotton, Logwood and Fustick, Pieces of Eight, Ryals, &c. are to be esteem'd contraband Goods, which, I will ever hope, we shall never esteem so our selves, nor suffer the *Spaniards* to take and confiscate our Ships and Vessels, under any Pretence, that any one of these Commodities are contraband ; so, I am very sure, however little concern'd any Gentlemen may be for the Merchants and Traders, who have many of them lost from 500*l.* to 3000*l.* and more, a Man, that they would themselves be very angry and clamorous, if they were, either by the Loss of a Post in the Government, or by the Reduction of Interest, or in any other Publick Manner, to lose such a Sum as 500*l.* more or less, a Year, or 2 or 3000*l.* together, or were they to have any such extraordinary Taxations, as would lessen their Incomes Two, Three, or more Hundreds *per Ann.* if we may judge of what they would do, by what they have done.

This, Mr. *D' Anvers*, I could not refrain saying at this Time, as not perceiving a Concern and Resentment in some Persons for the Merchants and Traders, equal to the Losses they themselves, as well as the Kingdom, have received from the *Spaniards* ; however, I beg you will make my Apology for it hereafter, if you find there will be a Necessity for it ; my Intention by it being not to remind the World, how any Persons may have acted when they have lost great Incomes, but to bring these Gentlemen to make the Traders Losses, their own ; whereby they may make
a true

a true Judgment, whether the Complaints of the Merchants can be esteem'd *only clamorous and noisy*, and without any Manner of Foundation; and have only to add, that, as I have with Pleasure perceiv'd, you have in your Writings enter'd into Facts and Business more than you did at your first Setting out, I hope you will continue it, by laying open the Faults and Mismanagements of those who have the Conduct of Publick Affairs; or any Negotiations carrying on, prejudicial to the Commerce and Interest of your Country, that may come to your Knowledge: But, at the same time, I recommend, when it is necessary to do it, that you will propose the Means to remedy any Evils or Mischiefs, which you find have arisen, or you apprehend arising to, or what other Measures may be taken more for the Service and Advantage of, the Publick. This, Sir, will necessarily continue you in the Good-liking and Opinion of the People of *Great Britain*, as a real Patriot, and one truly devoted to their general Interest; and it will engage and oblige me to be, in a particular Manner, what I have long been,

Sir,

Your constant Reader, Admirer,

and most humble Servant.

Tuesday, March
11. 1728.